

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:06CR3107
)	
V.)	
)	
DAGOBERTO FIGUEROA-CUEVAS,)	ORDER
)	
Defendant.)	
_____)	

IT IS ORDERED that:

(1) The Application for Second or Successive Certificate of Appealability (filing 127) is denied.

(2) Because the defendant has not received permission to file a second or successive 2255 motion, the Clerk shall terminate filing 124 and not treat it as a pending motion. In that sense, filing 124 is stricken.

DATED this 3rd day of February, 2011.

BY THE COURT:

Richard G. Kopf
United States District Judge